

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DARLENE ANDREASIK,

Plaintiff

v.

RYAN, LLC and BRINT RYAN,
individually,

Defendants.

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Case No. 1:15-cv-07159

Judge James B. Zagel

DEFENDANT RYAN, LLC'S MOTION TO EXAMINE PERSON

COMES NOW, Defendant Ryan, LLC ("Defendant" or "Ryan"), who submits its motion to examine Plaintiff, as authorized by Federal Rule of Civil Procedure 35 and would respectfully show the Court as follows:

1. Defendant moves for an order, upon good cause shown, allowing its expert witness to conduct an independent mental examination on Plaintiff.

2. Pursuant to Northern District of Illinois Local Rule 37.2, and as described more fully in Defendant's Memorandum of Law, Defendant's counsel Melissa Kingston has engaged in several conversations with Plaintiff's counsel, both via telephone and email, regarding Defendant's request for Plaintiff to have an independent medical examination performed by Defendant's expert, Dr. Blotcky. The last telephone conversation between counsel occurred on the morning of September 27, 2016. After such consultations and good faith attempts to resolve their differences, the parties have been unable to reach an agreement regarding Defendant's request for an independent medical examination to date.

3. Defendant proposes that Plaintiff's mental examination would be two four-hour sessions (with reasonable breaks) on two days during which time Dr. Blotcky proposes to

conduct a mental exam regarding Plaintiff's mental health conditions, treatment, diagnosis and history. The exams would take place at a "neutral location," such as a conference room at a hotel in downtown Chicago, Illinois. Defendant had proposed dates and times in October 2016 for the examination, which were rejected by Plaintiff, but Defendant remains ready, willing, and able to provide additional dates that are mutually convenient. Other potential dates for the exam include November 3, 4, 5, 10, 11, and 12 and December 1, 2, and 3.

4. The motion to examine Plaintiff is based on the pleadings and papers on file in this case and the attached memorandum of points and authorities, Plaintiff's First Amended Complaint, and the argument of counsel.

Dated: October 10, 2016

Respectfully submitted,

/s/ *Melissa Kingston*

Melissa R. Kingston
Texas Bar No. 24013435 (admitted *pro hac vice*)
Friedman & Feiger, LLP
5301 Spring Valley Road, Suite 200
Dallas, Texas 75254
Telephone: 972-450-7308
Fax: 972-788-2667
MKingston@fflawoffice.com

/s/ *Paulo McKeeby*

MORGAN, LEWIS & BOCKIUS LLP
Paulo B. McKeeby, Bar No. 00784571 (admitted
pro hac vice)
1717 Main Street
Suite 3200
Dallas, TX 75201-7347
Telephone: +1.214.466.4000
Facsimile: +1.214.466.4001
paulo.mckeeby@morganlewis.com

MORGAN, LEWIS & BOCKIUS LLP
Meredith Riccio, Bar No. 6313815
77 West Wacker Drive

Chicago, IL 60601-5094
Telephone: +1.312.324.1000
Facsimile: +1.312.324.1001
meredith.riccio@morganlewis.com

Attorneys for Defendant Ryan, LLC

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with counsel for Plaintiff regarding the relief requested herein, and that she is opposed to same.

By: /s/ Melissa Kingston
Melissa Kingston

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served upon all counsel of record via the Court's ECF Filing System on this 10th day of October, 2016.

By: /s/ Meredith E. Riccio
Meredith E. Riccio